

STATEMENT OF PURPOSE

RS21050C1

Idaho now has five DUI courts and seven misdemeanor/DUI drug courts, offering programs in which up to 275 persons convicted of misdemeanors may participate at any one time. This bill would permit greater participation by defendants in Idaho's misdemeanor problem-solving courts. The maximum length of probation that a person convicted of a misdemeanor can serve, under current statutes, is two years. This can present a problem in placing certain persons in DUI and misdemeanor drug courts whose rehabilitation would be furthered by these programs. A defendant may violate the terms of probation with only a few months remaining on his probation. The court may determine that the best alternative would be to place the defendant in a misdemeanor problem-solving court program, but the remaining period of probation would not extend to the time needed to complete the program and to monitor and supervise the defendant for an appropriate period of time following graduation from the program. This bill would allow courts to extend the period of probation to allow such defendants to participate in a DUI or misdemeanor drug court program. This would allow courts to have an alternative to incarcerating such a defendant in the county jail, and would help to rehabilitate the defendant and thereby reduce the chances that the defendant would go on to commit other, possibly more serious, crimes, including felonies.

FISCAL NOTE

This bill would have no impact on the general fund. It might impose greater probation supervision costs on the counties as a result of the extended probationary period, but it would cut the costs to the county of incarcerating defendants in county jails by providing the alternative of participation in a problem-solving court program. It would also help to avoid the costs of dealing with future offenses that defendants would be more likely to commit if they are unable to participate in problem-solving court programs. These impacts cannot be precisely calculated.

Contact:

Name: Patricia Tobias, Administrative Director of the Courts

Office: Idaho Supreme Court

Phone: (208) 334-2246